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10/785,995

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Junichi Hara

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

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MYINT, DENNIS Y

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/785,995

Applicant(s)

HARA ET AL.

Examiner

Dennis Myint

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 35-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 35-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the office action, dated August 22, 2006, has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 2, 2007, has been entered.

2. The amendment filed on November 2, 2007 has been received and entered. Claims 35-46 are pending in this application. Claims 1-18 had been cancelled and claims 19-34 were cancelled. Claims 35-46 were newly added. Claims 35, 38, and 42 are independent claims.

### ***Claim Objections***

3. Claim 38 objected to because of the following informalities: claim 38 in line 24 recites "stores". "store" is respectfully suggested. Appropriate correction is required.

### ***Specification***

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the followings are required.

Claim 38 in line 3 and line 5 recites "a first interface module" and "the first interface module" respectively, which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for "first interface module".

Claim 35 in line 4 recites "a second interface module", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for "second interface module".

Claim 35 in line 5 recites "a control module". Applicant in the remarks suggests that said "control module" to be "CPU 100 of Figure 2" of the drawings of the Application (Applicant's remarks, page 9 last paragraph). A control module and a CPU are two different entities and thus the specification fails to provide proper antecedent basis for "a control module".

Claim 35 in line 7 recites "an analysis module". Applicant in the remarks suggests that said "analysis module" to be "item 104 of Figure 2" of the drawings of the Application (Applicant's remarks, page 9 last paragraph). However, item 104 of said Figure 2 is labeled "ACCESS REQUEST PROCESSING UNIT". As such, the specification fails to provide proper antecedent basis for "analysis module".

Claim 35 in line 9 recites "a log module". Applicant in the remarks suggests that said "log module" to be "item 107 of Figure 4" of the drawings of the Application (Applicant's remarks, page 9 last paragraph). However, item 107 of said Figure 4 according to the specification is "Access History" (Paragraph 0067 of the specification,

U.S. Patent Application Publication Number 2005/01254546). As such, the specification fails to provide proper antecedent basis for "log module".

Claim 35 in line 10 recites "a log analysis module". Applicant in the remarks suggests that said "log analysis module" to be "item 103 of Figure 2" of the drawings of the Application (Applicant's remarks, page 10 first paragraph). However, item 103 of said Figure 2 is labeled "ACCESS HISTORY MANAGEMENT UNIT". As such, the specification fails to provide proper antecedent basis for "a log analysis module".

Claim 35 in line 4 and claim 37 in lines 1-2 recite "a data transmit module", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for "a data transmit module".

Claim 35 in lines 14-15 recites "the number of the extracted log entries for the requests is a predetermined value", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 36 in lines 1-3 recites "wherein the data transmit module **migrates** the related data to the other node **if there is no request** for the related data from the client computer via the second interface ", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 37 in lines 1-3 recites "wherein the data transmit module **copies** the related data to the other node **if there is no request** for the related data from the client computer via the second interface ", which is not recited in the specification of the

application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 38 in lines 20-21 recites "determine if the received second request is received from a data location in the second storage device or the first storage device". According to the specification (Paragraph 0053 of the application, U.S. Patent Application Publication Number 2005/0125456), "requests" are sent out by a "user" using a "client computer" by way of a "control node" - not "from a data location in the in the second storage device or the first storage device" as recited in lines 20-21 of claim 38. Therefore, the specification fails to provide proper antecedent basis for said limitation "determine if the received second request is received from a data location in the second storage device or the first storage device".

Additionally, claim 38 in lines 24-25 recites "stores to the second storage device if the data related to the second request is received from the first control node" which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 39 in lines 1-3 recites "wherein the first control node **migrates** the data related to the extracted log entries of the first requests to the second control node **if there is no request** related to the related data from the first client computer", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 40 in lines 1-3 recites "wherein the first control node **copies** the data related to the extracted log entries of the first requests to the second control node **if**

**there is no request** related to the related data from the first client computer", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 41 in lines 1-3 recites "wherein the first control node **converts** a source of the first request from the first client computer to the Second control node when the received request is related to the second control node, which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 43 in lines 1-3 recites "wherein the control device migrates the related data to the other storage system **if there is no request** for the related data from the client computer", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

Claim 44 in lines 1-3 recites "wherein the control device copies the related data to the other storage system **if there is no request** for the related data from the client computer", which is not recited in the specification of the application. Thus, the specification fails to provide proper antecedent basis for said limitation.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. The analysis under 35 U.S.C. 112, first paragraph, requires that the scope of protection sought be supported by the specification disclosure. The pertinent inquiries include determining (1) whether the specification disclosure as a whole is to enable one skilled in the art to make and use the claimed invention.

5. Claims 38-41 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 38 in lines 18-21 recites "the second control node is coupled to the second storage device and configured to:

"receive a second request from the second client computer in the second network system";

"**determine if** the received second request is received from a data location in the second storage device or the first storage device".

However, the second request is received from the second client computer in the second network ("receive a second request from the second client computer in the

second network) and, because the second client computer, a second control node and a second storage device exist together in a second network (i.e., lines 4-5 of claim 38, i.e., "a plurality of second network systems including a second client computer, and a second control node, and a second storage device"), the second request can originate **only** from the second client computer/second control node. As such, determining if the received second request is received from a data location in the second storage device or the first storage device is (1) unnecessary and (2) is "**mutually exclusive**" to the prior limitation, that is, "receive a second request from the second client computer in the second network system".

The Examiner interprets said limitations a broad sense to mean "receiving a second request and determining if the received second request is received from a first client computer/first control node or a second client computer/second control node".

Claims 39-41 are rejected on the same basis for fully incorporating the deficiencies of their respective base claim 38 by dependency.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 38-41 rejected under 35 U.S.C. 112, second paragraph, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 38 in lines 24-25 recites "stores to the second storage device if the data related to the second request is received from the first control node". It is not

ascertainable what is being stored to the second storage devices. As such, said limitation renders the claim indefinite and the claim fails to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 39-41 are rejected under 35 U.S.C. 112, second paragraph for their dependency on the base claim 38.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 35, 36, 37, 42, 43, 44, and 46 are rejected under 35 U.S.C. 102(e) as being anticipate by Dettinger et al., (hereinafter "Dettinger") (U.S. Patent Application Publication Number 2003/0093413)

As per claim 35, Dettinger is directed to "an access control node" (Dettinger, Figure 1 A: Server Computer; Figure 1A: Access Manager 109; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the*

*client computers 120*) "coupled to a client computer and a storage device via a first network" (Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120)* ; Dettinger, Figure 1B: Server 126<sub>1</sub>, 126<sub>2</sub>, and 126<sub>N</sub> and Paragraph 0021, i.e., *a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>*. Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>, . . . 125<sub>N</sub> (collectively referred to as the database management systems))* and teaches the limitations:

"a first interface module coupled to the storage device" (Dettinger, Figure 1A: Storage 118; Dettinger Paragraph 0023, i.e., *Storage 118 is preferably a direct access storage device (DASD), although it is shown as a single unit, it could be a combination of fixed and/or removable storage devices, such as fixed disc drives, floppy disc drives, tape drives, removable memory cards, or optical storage* );

"a second interface module coupled to a client computer and another control node" (Dettinger Paragraph 0021, i.e., *a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>*. Note that each of said plurality of client

computers comprises a server ( $126_1$ ,  $126_2$  and  $126_N$ ) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system  $125_1, \dots, 125_N$  (collectively referred to as the database management systems);*

"a control module configured to control, via the first interface module, requests from a client computer or other control node related to data stored in the storage device" (Dettinger, Figure 1A: Access Manager 109, and Paragraph 0025, i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111; Dettinger Paragraph 0021, i.e., The receiving servers 126 are each configured to make requests against the respective target database 128 as well as a source database 106 of the server computer 102);*

"an analysis module configured to specify a source of the requests as one of the client computer or the other control node" (Dettinger, Paragraph 0027, i.e., the *replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 11*) ;

"a log module configured to store log entries of the requests with the specified source" (Dettinger, Figure 1A: Access Manager 109, and Paragraph 0025, i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111);*

"a log analysis module configured to extract log entries of the requests from the log module having the other control node as the specified source" (Dettinger, Figure 1A:

Server 106; Paragraph 0025, i.e., *the access manager metrics include when a database request was issued, when the request was processed, the frequency of **request from particular client**, etc.* ; Paragraph 0026, i.e., *Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency; and* ; Paragraph 0027, i.e., *i.e. the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 111* ; Figure 1A: Storage 118 and Paragraph 0023 i.e., *such as fixed drives*);

"a data transmit module" (Dettinger, Figure 1, wherein in clients are communicatively coupled (Figure 1A 114, 115<sub>1</sub>, 115<sub>2</sub>, and 115<sub>N</sub>) to the server 100; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120) "configured to send data related to the requests of the extracted log entries to the other control node"* (Dettinger Paragraph 0021, i.e., *comprising a receiving server 126<sub>1</sub>, 126<sub>2</sub>, . . . 126<sub>N</sub> (collectively referred to as the receiving servers 126*; Note that that each of the plurality of client computers comprises a server (Figure 1B: 126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems )* "when the other control node is the

specified source of the requests of the extracted log entries" (Dettinger Paragraph 00205, i.e., *If, for a given client, the predefined replication thresholds are met, then one or more tables 107 of the source database 104 are replicated to the client's local system. To this end, various information (referred to herein as "**access manager metrics**") is recorded by the access manager 109 in a log 111. Illustratively, the access manager metrics include **when a database request was issued**, when the request was processed, **the frequency of requests from a particular client**, etc. The access manager 109 may then utilize these metrics to determine whether replication is appropriate. In any case, when data is to be sent to one or more clients 120, the sending server 106 sends the data via the appropriate dedicated Channel 115<sub>1</sub>, 115<sub>2</sub>, . . . 115<sub>N</sub> established over the network connection 114 (e.g., a TCP/IP connection); Dettinger, Paragraph 0010, i.e., *automatically replicating source data from a source data to target databases*) "and the number of the extracted log entries for the requests is a predetermined value" (Dettinger Paragraph 0026, i.e., *Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency*).*

As per claim 36, Dettinger teaches the limitation:

"wherein the data transmit module migrates the related data to the other control node if there is no request for the related data from the client computer via the Second interface" (Dettinger, Paragraph 0032, i.e., *If the replication threshold is not met, then*

*processing proceeds to step 222 where no action is taken. If, however, the replication threshold is met, processing proceeds to step 224 where a replication event is logged in the log 111. At step 226, the data is replicated based on the access manager rules 110).*

As per claim 37, Dettinger teaches the limitation:

*“wherein the data transmit module copies the related data to the other control node if there is no request for the related data from the client computer via the second interface” ( Dettinger, Paragraph 0032, i.e., *If the replication threshold is not met, then processing proceeds to step 222 where no action is taken. If, however, the replication threshold is met, processing proceeds to step 224 where a replication event is logged in the log 111. At step 226, the data is replicated based on the access manager rules 110).**

As per claim 42, Dettinger is directed to a computer system and teaches the limitations:

*“a plurality of storage systems including a control device and a storage device” (Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . , 120<sub>N</sub> (collectively referred to as the client computers 120) ; Dettinger, Figure 1B: Server 126<sub>1</sub>, 126<sub>2</sub>, and 126<sub>N</sub> and Paragraph 0021, i.e., a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and**

128<sub>N</sub>; Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub>*

(collectively referred to as the database management systems); Dettinger, Figure 1A:

**Storage 118**; Dettinger Paragraph 0023, i.e., *Storage 118 is preferably a direct access storage device (DASD), although it is shown as a single unit, it could be a combination of fixed and/or removable storage devices, such as fixed disc drives, floppy disc drives, tape drives, removable memory cards, or optical storage*; Also note that client computers of Dettinger comprise "target databases" 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>. As such, client computers of Dettinger comprises storages devices to accommodate said target databases, in addition functioning both as client computers and control nodes );

"a client computer" (Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120))*; and

"a management computer" (Dettinger, Figure 1 A: **Server Computer**; Figure 1A: *Access Manager 109*; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120))*);

"wherein the control device" (Dettinger, Figure 1A: *Access Manager 109*) is configured to:

"control a request from a client computer and other storage systems in which the request is related to data stored in the storage device of respective storage system or data stored in the other storage system" (Dettinger, Figure 1A: *Access Manager 109*, and Paragraph 0025, i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111; Dettinger Paragraph 0021, i.e., The receiving servers 126 are each configured to make requests against the respective target database 128 as well as a source database 106 of the server computer 102*);

"transmit the request to the other storage system if the request is related to data stored in the other storage system" (Dettinger, Figure 1, wherein in clients are communicatively coupled (Figure 1A 114, 115<sub>1</sub>, 115<sub>2</sub>, and 115<sub>N</sub>) to the server 100; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120)*; Dettinger Paragraph 0021, i.e., *The receiving servers 126 are each configured to **make requests against the respective target database 128 as well as a source database 106 of the server computer 102***);

"access the data on the basis of the request if the request is related to data stored in the storage device of the respective storage system" (Dettinger Paragraph 0021, i.e., *comprising a receiving server 126<sub>1</sub>, 126<sub>2</sub>, . . . 126<sub>N</sub> (collectively referred to as*

*the receiving servers 126; Note that that each of the plurality of client computers comprises a server (Figure 1B: 126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems; Dettinger Paragraph 0021, i.e., The receiving servers 126 are each configured to make requests against the respective target database 128 as well as a source database 106 of the server computer 102);*

*“store log entries of the request with the source of the request being specified as either the client computer or the other storage system” (Dettinger, Figure 1A: Access Manager 109, and Paragraph 0025, i.e. To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111); and*

*“extract the log entries related to the request from the other storage system” (Dettinger, Figure 1A: Server 106; Paragraph 0025, i.e., the access manager metrics include when a database request was issued, when the request was processed, the frequency of **request from particular client**, etc. ; Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency; and ; Paragraph 0027, i.e., i.e. the replication schedule may be automatically generated by the access manager*

*109 according to the rules 110 and the metrics contained in the log 111 ; Figure 1A: Storage 118 and Paragraph 0023 i.e., such as fixed drives));*

*"wherein the management computer sends data related to the requests of the extracted log entries to the other storage system when the other storage system is the specified source" (Dettinger, Figure 1A: Server 106; Paragraph 0025, i.e., the access manager metrics include when a database request was issued, when the request was processed, the frequency of **request from particular client**, etc. ; Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency; and ; Paragraph 0027, i.e., i.e. the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 111 ; Figure 1A: Storage 118 and Paragraph 0023 i.e., such as fixed drives)) and "when the number of the extracted log entries for the requests is a predetermined value" (Dettinger Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency).*

As per claim 43, Dettinger teaches the limitation:

*"wherein the control device migrates the related data to the other storage system if there is no request for the related data from the client computer" (Dettinger, Paragraph*

0032, i.e., *If the replication threshold is not met, then processing proceeds to step 222 where no action is taken. If, however, the replication threshold is met, processing proceeds to step 224 where a replication event is logged in the log 111. At step 226, the data is replicated based on the access manager rules 110).*

As per claim 44, Dettinger teaches the limitation:

"wherein the control device copies the related data to the other storage system if there is no request for the related data from the client computer" (Dettinger, Paragraph 0032, i.e., *If the replication threshold is not met, then processing proceeds to step 222 where no action is taken. If, however, the replication threshold is met, processing proceeds to step 224 where a replication event is logged in the log 111. At step 226, the data is replicated based on the access manager rules 110).*

As per claim 46, Dettinger teaches the limitations:

"further comprising a management server" (Dettinger, Figure 1 A: **Server Computer**; Figure 1A: Access Manager 109; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>) "coupled to a plurality of the storage systems" (Dettinger, Figure 1A: **Storage 118**; Dettinger Paragraph 0023, i.e., *Storage 118 is preferably a direct access storage device (DASD), although it is shown as a single unit, it could be a combination of fixed and/or removable storage devices, such as fixed disc drives, floppy disc drives, tape drives, removable memory cards, or optical storage*) "which is configured to collect logs from a plurality of the storage systems" (Dettinger, Figure 1A: Access Manager 109, and Paragraph 0025,

i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111) "to extract log entries for the requests which are received from the other storage systems" (Dettinger, Figure 1A: Server 106; Paragraph 0025, i.e., the access manager metrics include when a database request was issued, when the request was processed, the frequency of **request from particular client**, etc. ; Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency; and ; Paragraph 0027, i.e., i.e. the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 111 ; Figure 1A: Storage 118 and Paragraph 0023 i.e., such as fixed drives)) and "to send an instruction to send, to the other storage system, data related to the request of the extracted log entries" (Dettinger, Figure 1A: Server 106; Paragraph 0025, i.e., the access manager metrics include when a database request was issued, when the request was processed, the frequency of **request from particular client**, etc. ; Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency; and ; Paragraph 0027, i.e., i.e. the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 111 ; Figure 1A: Storage 118 and Paragraph 0023 i.e., such as fixed drives)) and "when the number of the extracted log entries for the*

requests is a predetermined value" (Dettinger Paragraph 0026, i.e., *Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency*)).

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 38, 39, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dettinger in view of Srinivasan et al., (hereinafter "Srinivasan", U.S. Patent Application Publication Number 2007/0226331).

Dettinger is directed to a computer system and teaches the limitations:

"a first network system including a first client computer, a first control node, and a first storage device" (Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120)*; Dettinger, Figure 1 A: Server Computer; Figure 1A: Access Manager 109; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>; Note that both the server and client computers of Dettinger function as "control nodes". Dettinger, Figure 1B: Server 126<sub>1</sub>, 126<sub>2</sub>, and 126<sub>N</sub> and Paragraph 0021, i.e., *a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer*; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>; Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>, . . . 125<sub>N</sub> (collectively referred to as the database management systems)*; Dettinger, Figure 1A: **Storage 118**; Dettinger Paragraph 0023, i.e., *Storage 118 is preferably a direct access storage device (DASD), although it is shown as a single unit, it could be a combination of fixed and/or removable storage devices, such as fixed disc drives, floppy disc drives, tape drives, removable memory cards, or optical storage*; Also note that client computers of Dettinger comprise "target databases" 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>. As such, client computers of Dettinger comprises

storage devices to accommodate said target databases, in addition functioning both as client computers and control nodes);

“a plurality of second network systems including a second client computer, and a second control node, and a second storage device” (Dettinger, Figure 1, wherein in clients are communicatively coupled (Figure 1A 114, 115<sub>1</sub>, 115<sub>2</sub>, and 115<sub>N</sub>) to the server 100; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120)*; Dettinger, Figure 1 A: Server Computer; Figure 1A: Access Manager 109; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>; Note that both the server and client computers of Dettinger function as “control nodes”. Dettinger, Figure 1B: Server 126<sub>1</sub>, 126<sub>2</sub>, and 126<sub>N</sub> and Paragraph 0021, i.e., *a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer*; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>; Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems*; Also note that client computers of Dettinger comprise “target databases” 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>. As such, client computers of Dettinger comprises storage devices to accommodate said target databases, in addition functioning both as client computers and control nodes );

“wherein the first control node is coupled to the first storage device” (Dettinger, Figure 1 A: Server Computer; Figure 1A: *Access Manager 109*; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>; Dettinger, Figure 1A: **Storage 118**; Dettinger Paragraph 0023, i.e., *Storage 118 is preferably a direct access storage device (DASD)*; Note that “the server” of Dettinger maps to the first control node of the instant application) and is configured to:

“control a first request related to data stored in the first storage device from either the first client computer or the second control node as a specified source of the first request” (Dettinger, Figure 1A: *Access Manager 109*, and Paragraph 0025, i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111*; Dettinger Paragraph 0021, i.e., *The receiving servers 126 are each configured to make requests against the respective target database 128 as well as a source database 106 of the server computer 102*);

“store log entries of the first request with the specified source of the first request” (Dettinger, Figure 1A: *Access Manager 109*, and Paragraph 0025, i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111*);

“extract log entries of the first requests from the second control node” (Dettinger, Figure 1A: *Server 106*; Paragraph 0025, i.e., *the access manager metrics include when a database request was issued, when the request was processed, the frequency of request from particular client, etc.* ; Paragraph 0026, i.e., *Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access*

*etc.) and user class tolerance of data latency; and ; Paragraph 0027, i.e., i.e. the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 111 ; Figure 1A: Storage 118 and Paragraph 0023 i.e., such as fixed drives);*

*"send data related" (Dettinger, Figure 1, wherein in clients are communicatively coupled (Figure 1A 114, 115<sub>1</sub>, 115<sub>2</sub>, and 115<sub>N</sub>) to the server 100; Dettinger, Paragraph 0021, i.e., In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120) "to the extracted log entries of the first requests to the second control node" (Dettinger Paragraph 0021, i.e., comprising a receiving server 126<sub>1</sub>, 126<sub>2</sub>, . . . 126<sub>N</sub> (collectively referred to as the receiving servers 126; Note that that each of the plurality of client computers comprises a server (Figure 1B: 126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems) "when the second control node is the specified source of the extracted log entries of the first requests" (Dettinger Paragraph 00205, i.e., If, for a given client, the predefined replication thresholds are met, then one or more tables 107 of the source database 104 are replicated to the client's local system. To this end, various information (referred to herein as "**access manager metrics**") is recorded by the access manager 109 in a log 111. Illustratively, the access manager metrics include*

*when a database request was issued, when the request was processed, the frequency of requests from a particular client, etc. The access manager 109 may then utilize these metrics to determine whether replication is appropriate. In any case, when data is to be sent to one or more clients 120, the sending server 106 sends the data via the appropriate dedicated Channel 115<sub>1</sub>, 115<sub>2</sub>, . . . 115<sub>N</sub> established over the network connection 114 (e.g., a TCP/IP connection); Dettinger, Paragraph 0010, i.e., automatically replicating source data from a source data to target databases) "and the number of the extracted log entries for the requests is a predetermined value" (Dettinger Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency) and "if the number of the extracted log entries of the first requests is a predetermined value" (Dettinger Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency);*

"the second control node is coupled to the second storage device" (One of the client computers of Dettinger could be the second control node. Dettinger, Figure 1B: Server 126<sub>1</sub>, 126<sub>2</sub>, and 126<sub>N</sub> and Paragraph 0021, i.e., a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>. Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates

both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems*; Also note that client computers of Dettinger comprise “target databases” 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>. As such, client computers of Dettinger comprises storages devices to accommodate said target databases, in addition functioning both as client computers and control nodes ) and is configured to:

“receive a second request from the second client computer in the second network system” (Dettinger Paragraph 0021, i.e., *The receiving servers 126 are each configured to make requests against the respective target database 128 as well as a source database 106 of the server computer 102*); and

“stores to the second storage device if the data related to the second request is received from the first control node” (Dettinger Paragraph 0021, i.e., *comprising a receiving server 126<sub>1</sub>, 126<sub>2</sub>, . . . 126<sub>N</sub> (collectively referred to as the receiving servers 126)*).

Dettinger does not explicitly teach the limitations: “determine if the received second request is received from a data location in the second storage device or the first storage device” and “send a request to the first control node, which manages the first storage device, as a first request if the received second request is related to the first storage device”.

On the other hand, Srinivasan teaches the limitations:

"determine if the received second request is received from a data location in the second storage device or the first storage device" and "send a request to the first control node, which manages the first storage device, as a first request if the received second request is related to the first storage device" (Srinivasan, Paragraph 0023, i.e., *The processor is configured to, determine that an incoming file system communication is associated with a first portion of the distributed-file system associated with a second file server of the plurality of servers, send a first authorization request to the second file server to request authorization to directly access the first portion of the distributed-file system, analyze a first authorization response from the second file server to determine at least one storage location associated with the first portion of the distributed-file system, determine that an incoming second authorization request received from a third file server from the plurality of file servers by the interface is associated with a second portion of the distributed-file system associated with the first file server, obtain data indicative of the second portion of the distributed-file system, and send a second authorization response that includes the data*).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the computer system of Dettinger to add the feature of determining incoming data requests so as to direct to pertinent data sources, as taught by the system of Srinivasan, to the computer system of Dettinger so that the resultant system would also comprise the features of "determining if the received second request is received from a data location in the second storage device or the first storage device" and "sending a request to the first control node, which manages the first storage device,

as a first request if the received second request is related to the first storage device".

One would have been motivated to do so in order to determine incoming requests for data and route said requests to pertinent data sources (Srinivasan, paragraph 0023).

As per claim 39, Dettinger in view of Srinivasan teaches the limitations:

"wherein the first control node migrates the data related to the extracted log entries of the first requests to the second control node if there is no request related to the related data from the first client computer" (Dettinger, Paragraph 0032, i.e., *If the replication threshold is not met, then processing proceeds to step 222 where no action is taken. If, however, the replication threshold is met, processing proceeds to step 224 where a replication event is logged in the log 111. At step 226, the data is replicated based on the access manager rules 110* ).

As per claim 39, Dettinger in view of Srinivasan teaches the limitations:

"wherein the first control node copies the data related to the extracted log entries of the first requests to the second control node if there is no request related to the related data from the first client computer" (Dettinger, Paragraph 0032, i.e., *If the replication threshold is not met, then processing proceeds to step 222 where no action is taken. If, however, the replication threshold is met, processing proceeds to step 224 where a replication event is logged in the log 111. At step 226, the data is replicated based on the access manager rules 110*).

13. Claims 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dettinger in view of Srinivasan and further in view of Fletcher et al., (U.S. Patent Application Publication Number 2006/0282440).

As per claim 41, Dettinger in view of Srinivasan does not explicitly teach the limitations outside the parentheses: "wherein (the first control node) **converts** a (source of the first request from the first client computer) to (the Second control node when the received request is related to the second control node)".

On the other hand, Fletcher teaches said limitation:

"wherein (the first control node) **converts** a (source of the first request from the first client computer) to (the Second control node when the received request is related to the second control node)" (Fletcher, Paragraph 0048, i.e., *When a request has been made to modify or change the metadata associated with a target file, the custom file system 145 redirects the file request to a corresponding copy of the file in a predetermined spill directory. The spill directory may be one of the parameters identified in the node configuration file. This same redirection process may be followed if the state of the file is "spilled." If the state of the file is "normal", the file request may be redirected to the corresponding original file through the matching real file system. In this example, the state of the file affects the location that the custom file system uses to redirect the file request.*)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system of Dettinger in view of Srinivasan to add the feature of converting file identifications to direct a request for a file to a corresponding

file, as taught by Fletcher, to the system of Dettinger in view of Srinivasan so that the resultant system would convert a source of the first request from the first client computer to the Second control node when the received request is related to the second control node. One would have been motivated to do so in order to access multiple versions of files (Fletcher, Paragraph 0010).

14. Claims 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Fletcher.

As per claim 45, Dettinger does not explicitly teach the limitations outside the parentheses: "wherein (the first control node) **converts** a (source of the first request from the first client computer) to (the Second control node when the received request is related to the second control node)".

On the other hand, Fletcher teaches said limitation:

"wherein (the first control node) **converts** a (source of the first request from the first client computer) to (the Second control node when the received request is related to the second control node)" (Fletcher, Paragraph 0048, i.e., *When a request has been made to modify or change the metadata associated with a target file, the custom file system 145 redirects the file request to a corresponding copy of the file in a predetermined spill directory. The spill directory may be one of the parameters identified in the node configuration file. This same redirection process may be followed if the state of the file is "spilled." If the state of the file is "normal", the file request may be redirected to the corresponding original file through the matching real file system. In this example,*

*the state of the file affects the location that the custom file system uses to redirect the file request).*

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system of Dettinger to add the feature of converting file identifications to direct a request for a file to a corresponding file, as taught by Fletcher, to the system of Dettinger so that the resultant system would convert a source of the first request from the first client computer to the Second control node when the received request is related to the second control node. One would have been motivated to do so in order to access multiple versions of files (Fletcher, Paragraph 0010).

### ***Response to Arguments***

15. Applicant's arguments filed on 21 November 2006 have been considered but are not persuasive.

Applicant argued that *"Dettinger does not disclose or teach the basic arrangement of the computer system or access control node of the invention"* (Applicant's argument, page 12 last paragraph). In addition, Applicant argued that *"However, Dettinger does not disclose the access control node or computer system of the invention"* (Applicant's argument, page 13 first paragraph).

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art. Examiner is entitled to give claim limitations their

broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1] Interpretation of Claims-Broadest Reasonable Interpretation.

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

In response it is pointed out that Dettinger teaches the basic arrangement of the computer system or access control node of the claimed invention as follows:

Dettinger is directed to "an access control node" (Dettinger, Figure 1 A: Server Computer; Figure 1A: Access Manager 109; Figure 1A, 114, 115<sub>1</sub>, 115<sub>2</sub>, 115<sub>N</sub>; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120) "coupled to a client computer and a storage device via a first network" (Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120) ; Dettinger, Figure 1B: Server 126<sub>1</sub>, 126<sub>2</sub>, and 126<sub>N</sub> and Paragraph 0021, i.e., a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>; Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and**

operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems))* and teaches the limitations:

“a first interface module coupled to the storage device” (Dettinger, Figure 1A: Storage 118; Dettinger Paragraph 0023, i.e., *Storage 118 is preferably a direct access storage device (DASD), although it is shown as a single unit, it could be a combination of fixed and/or removable storage devices, such as fixed disc drives, floppy disc drives, tape drives, removable memory cards, or optical storage* );

“a second interface module coupled to a client computer and another control node” (Dettinger Paragraph 0021, i.e., *a plurality of client computers; Figure 1B (A) 115<sub>1</sub> Client Computer, (B) 115<sub>2</sub> Client Computer, (C) 115<sub>N</sub> Client Computer; Figure 1B: Target Database 128<sub>1</sub>, 128<sub>2</sub>, and 128<sub>N</sub>*, Note that each of said plurality of client computers comprises a server (126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>.....125<sub>N</sub> (collectively referred to as the database management systems)*);

“a control module configured to control, via the first interface module, requests from a client computer or other control node related to data stored in the storage device” (Dettinger, Figure 1A: Access Manager 109, and Paragraph 0025, i.e. *To this end, various information (referred to herein as access manager metrics) is recorded by*

*access manager 109 in a log 111; Dettinger Paragraph 0021, i.e., The receiving servers 126 are each configured to make requests against the respective target database 128 as well as a source database 106 of the server computer 102);*

*“an analysis module configured to specify a source of the requests as one of the client computer or the other control node” (Dettinger, Paragraph 0027, i.e., the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 11) ;*

*“a log module configured to store log entries of the requests with the specified source” (Dettinger, Figure 1A: Access Manager 109, and Paragraph 0025, i.e. To this end, various information (referred to herein as access manager metrics) is recorded by access manager 109 in a log 111);*

*“a log analysis module configured to extract log entries of the requests from the log module having the other control node as the specified source” (Dettinger, Figure 1A: Server 106; Paragraph 0025, i.e., the access manager metrics include when a database request was issued, when the request was processed, the frequency of **request from particular client**, etc. ; Paragraph 0026, i.e., Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency; and ; Paragraph 0027, i.e., i.e. the replication schedule may be automatically generated by the access manager 109 according to the rules 110 and the metrics contained in the log 111 ; Figure 1A: Storage 118 and Paragraph 0023 i.e., such as fixed drives);*

"a data transmit module" (Dettinger, Figure 1, wherein in clients are communicatively coupled (Figure 1A 114, 115<sub>1</sub>, 115<sub>2</sub>, and 115<sub>N</sub>) to the server 100; Dettinger, Paragraph 0021, i.e., *In general, the networked database environment 100 comprises a server (source) computer 102 in communication with a plurality of client (target) computers 120<sub>1</sub>, 120<sub>2</sub>, . . . 120<sub>N</sub> (collectively referred to as the client computers 120) "configured to send data related to the requests of the extracted log entries to the other control node" (Dettinger Paragraph 0021, i.e., comprising a receiving server 126<sub>1</sub>, 126<sub>2</sub>, . . . 126<sub>N</sub> (collectively referred to as the receiving servers 126; Note that that each of the plurality of client computers comprises a server (Figure 1B: 126<sub>1</sub>, 126<sub>2</sub> and 126<sub>N</sub>) and operates both as control nodes (i.e., resource management devices) and clients at the same time as in recited Paragraph 0021 of Dettinger as *Each of the client computers 120 includes a database management system 125<sub>1</sub>, . . . 125<sub>N</sub> (collectively referred to as the database management systems ) "when the other control node is the specified source of the requests of the extracted log entries" (Dettinger Paragraph 00205, i.e., *If, for a given client, the predefined replication thresholds are met, then one or more tables 107 of the source database 104 are replicated to the client's local system. To this end, various information (referred to herein as "access manager metrics") is recorded by the access manager 109 in a log 111. Illustratively, the access manager metrics include when a database request was issued, when the request was processed, the frequency of requests from a particular client, etc. The access manager 109 may then utilize these metrics to determine whether replication is appropriate. In any case, when data is to be sent to one or more clients 120, the***

*sending server 106 sends the data via the appropriate dedicated Channel 115<sub>1</sub>, 115<sub>2</sub>, . . . 115<sub>N</sub> established over the network connection 114 (e.g., a TCP/IP connection);*

Dettinger, Paragraph 0010, i.e., *automatically replicating source data from a source data to target databases*) "and the number of the extracted log entries for the requests is a predetermined value" (Dettinger Paragraph 0026, i.e., *Illustrative threshold criteria 112 which may be checked by the rules 110 include time of day used, volume used, frequency of use, user class (e.g., managers, architects, users with read only access etc.) and user class tolerance of data latency*).

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action. For the above reasons, Examiner believed that rejection of the last and current office actions are proper.

**Conclusion**

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is (571) 272-5629. The examiner can normally be reached on 8:30 AM - 5:30 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-5629.

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